

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ROBERT GONZALES,**

**Plaintiff,**

v.

**Case No. 12-cv-0466 MCA/SMV**

**LT. SPRUNK and  
SGT. BLAND,**

**Defendants.**

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED RESOLUTION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Resolution [Doc. 28] ("PF&RR"), issued on September 28, 2013. On reference by the Court, [Doc. 4], the Honorable Stephan M. Vidmar, United States Magistrate Judge, found that Plaintiff failed to exhaust his administrative remedies with regard to all claims. [Doc. 28]. This Court has conducted its own independent review of this matter and arrives at the same conclusion. Judge Vidmar recommends that such claims be dismissed without prejudice. *Id.* No party objected to the PF&RR, and the time for doing so has passed.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Magistrate Judge's Proposed Findings and Recommended Resolution [Doc. 28] are **ADOPTED**. All claims are **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

  
**CHIEF UNITED STATES DISTRICT JUDGE**